

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**UNITED STATES OF AMERICA**

**vs.**

**JOHN RAZO**

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**No. 3:19-MJ-844-BN**

**DETENTION ORDER**

John Razo (Defendant) is charged by complaint filed September 19, 2019, with being a convicted felon in knowing and unlawful possession of a firearm in violation of 18 U.S.C. § 922(g)(1). He was arrested in this district and made his initial appearance on September 19, 2019. The Government moved to detain him and requested a continuance. The Court granted the motion and ordered Defendant detained temporarily.

On September 26, 2019, Defendant appeared in person and through counsel for a preliminary examination and detention hearing. After consulting with counsel, Defendant knowingly and voluntarily waived his right to a preliminary hearing and elected to proceed only with a detention hearing. After considering the testimony of the witnesses, the argument of counsel, the pretrial services report and the factors listed in 18 U.S.C. § 3142(g), this Court finds that the Government has met its burden to establish by a preponderance of the evidence that there is no condition or combination of conditions which would reasonably assure Defendant's appearance at future court hearings. *See United States v. Fortna*, 769 F.2d 243, 250 (5th Cir. 1985) (holding that applicable standard is simple preponderance). Defendant has no fixed address and was in a hotel room at the time of arrest. He is unemployed and has no property ties to the community. He has also not been taking his mental health medication and has been self-medicating with illegal controlled substances.

Given the nature and circumstances of the offense; the weight of the evidence against Defendant; the characteristics of Defendant; and the nature and seriousness of the danger to any person or the community posed by Defendant's release, the Court finds that the Government has presented a preponderance of evidence showing that there is no condition or combination of conditions that will reasonably assure Defendant's appearance. Accordingly, the Government's motion for detention is **GRANTED**.

It is therefore ORDERED that Defendant be, and he is hereby, committed to the custody of the Attorney General and United States Marshal for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal, and that Defendant, while being so held, be afforded reasonable opportunity for private consultation with counsel.

It is further ORDERED that, on an Order of a Court of the United States or at the request of the attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to a United States Marshal for the purpose of an appearance in connection with court proceedings in the Northern District of Texas.

Signed this 30th day of September, 2019.

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE